Serial No.: 09/770,783 - 9 - Art Unit: 2635

## REMARKS

In response to the Office Action mailed August 11, 2004, Applicant respectfully requests reconsideration.

As a preliminary matter, Applicants note with appreciation the allowance of claims 1-10 and 13-38.

Claims 11 and 12 were rejected under 35 U.S.C. §103(a) as being unpatentable over the admitted prior art, the PCT document (WO99/43096) and Murdoch. Accordingly, for purposes of advancing the prosecution of this application, and without acceding to the correctness of the rejection over the PCT document (WO99/43096) and Murdoch, Applicant has canceled claims 11 and 12. Accordingly, Applicants believe that claims 1-10 and 13-38 should now be in allowable condition.

Serial No.: 09/770,783 - 10 - Art Unit: 2635

## **CONCLUSION**

In view of the foregoing amendments and remarks, this application should now be in condition for allowance. A notice to this effect is respectfully requested. If the Examiner believes, after this amendment, that the application is not in condition for allowance, the Examiner is requested to call the Applicant's attorney at the telephone number listed below.

If this response is not considered timely filed and if a request for an extension of time is otherwise absent, Applicant hereby requests any necessary extension of time. If there is a fee occasioned by this response, including an extension fee, that is not covered by an enclosed check, please charge any deficiency to Deposit Account No. 23/2825.

Respectfully submitted,

Luc WUIDART

James H. Morris, Reg. No. 34,681

Wolf, Greenfield & Sacks, P.C.

600 Atlantic Avenue

Boston, Massachusetts 02210-2211

Telephone: (617) 720-3500

Docket No. S1022.80526US00

Date: October 12, 2004

x11/11/04x